

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DAVID ANDREW, individually and on behalf of all
others similarly situated,

Plaintiff,

vs.

LASTPASS US LP and GOTO TECHNOLOGIES
USA, INC.,

Defendants.

Case No.: 1:23-cv-10338-PBS

DEBT CLEANSE GROUP LEGAL SERVICES,
LLC, individually and on behalf of all others
similarly situated,

Plaintiff,

vs.

GOTO TECHNOLOGIES USA, INC. and
LASTPASS US LP,

Defendants.

Case No.: 1:22-cv-12047-PBS

JOHN DOE, individually and on behalf of all others
similarly situated,

Plaintiff,

vs.

LASTPASS US LP,

Defendant.

Case No.: 1:23-CV-10004-PBS

STEVEN CARTER, individually and on behalf of all
others similarly situated,

Plaintiff,

vs.

LASTPASS USA, LLC,

Defendant.

Case No. 1:23-cv-10092-DJC

R. ANDRE KLEIN, individually and on behalf of all
others similarly situated,

Plaintiff,

vs.

LASTPASS US LP, and GOTO TECHNOLOGIES
USA, INC.,

Defendants.

Case No. 1:23-cv-10122-PBS

NATHAN GOLDSTEIN, individually and on behalf
of all others similar situated,

Plaintiff,

vs.

LASTPASS US LP,

Defendant.

Case No. 1:23-cv-10320-PBS

**PLAINTIFF ANDREW'S MOTION TO EXTEND TIME FOR RESPONSES TO
MOTION TO CONSOLIDATE AND APPOINT INTERIM CLASS COUNSEL**

Plaintiff David Andrew in the above-captioned action, *Andrew v. LastPass et al.*, No. 23-cv-10338-PBS, moves the Court to extend the time for any interested party to file a response or opposition to the Motion to Consolidated Cases and Appoint Interim Class Counsel, filed in the above action, *Debt Cleanse Group Legal Services, LLC v. GoTo Technologies USA, Inc. et al.*, 1:22-cv-12047-PBS (ECF No. 26) (the "Motion"). Counsel for Plaintiff has met and conferred with counsel for all parties in the above-captioned cases, and no party opposes this request.

There are currently six putative class actions that have been filed in this Court against Defendant LastPass US LP and, in some of the cases, also against LastPass's corporate parent, GoTo Technologies USA, Inc. All of the cases concern a serious data breach of LastPass that has injured millions of LastPass's subscribers. In addition to Plaintiff Andrew's case, pending before the Court are four separately filed, but related, cases against defendants: *Debt Cleanse Group*

Legal Services, LLC v. GoTo Technologies USA, Inc. et al., 1:22-cv-12047-PBS (filed December 2, 2022) (“*DCGLS*”), *Doe v. LastPass US LP*, 1:23-CV-10004-PBS (filed January 3, 2023) (“*Doe*”), *R. Andre Klein v. LastPass US LP et al.*, Case No. 1:23-cv-10122-PBS (filed January 18, 2023) (“*Klein*”), and *Nathan Goldstein v. LastPass US LP*, Case No. 1:23-cv-10320 (“*Goldstein*”) (filed February 10, 2023). Another separately filed but related case against defendants is pending before Judge Casper: *Steven Carter v. LastPass US LLC*, Case No. 1:23-cv-10092-DJC (filed January 13, 2023) (“*Carter*”) (collectively, the “Class Actions”).

On February 6, 2023, plaintiffs in *Klein*, *Doe*, and *DCGLS* filed a Motion to Consolidate Cases and Appoint Interim Class Counsel. ECF 26. The Motion seeks to consolidate the *Klein*, *Doe*, *DCGLS*, and *Carter* actions.¹ Under Fed. R. Civ. P. 23(g)(3), it also seeks the appointment of Berman Tabacco, Migliaccio & Rathod LLP, and Zimmerman Law Offices, P.C. as Interim Class Counsel. Defendants’ (and any interested parties’) responses are due February 21, 2023.

In light of the now six Class Actions and the need for adequate time for plaintiffs in all of the actions to respond to the pending consolidation and class counsel motion, Plaintiff Andrew requests a brief 13-day extension of time for the parties in the Class Actions to file their responses. In addition, the requested extension would provide counsel for the plaintiffs in each of the Class Actions additional time to discuss the issues raised by the Motion and, to the extent possible, agree on a proposed organizational structure for this litigation.

Counsel for Plaintiff Andrew met and conferred by telephone and/or email with counsel for plaintiffs in each of the Class Actions, as well as counsel for Defendants, and no party in above-captioned actions opposes this request.

¹ Although the Motion does not reference the *Goldstein* or *Andrew* actions, which were filed after the Motion, the proposed order would “apply to any subsequently filed putative class action alleging the same or substantially similar allegations.” ECF 26-1.

Accordingly, Plaintiff Andrew respectfully requests that this Court extend the deadline for any party in the above-captioned cases to respond to the Motion by 13 days, to and including March 6, 2023.

LOCAL RULE 7.1(a)(2) CERTIFICATION

Undersigned counsel hereby certify that they have conferred with counsel for all parties in the above-captioned actions in a good faith effort to resolve or narrow the issues raised by this motion, and no party opposes this motion.

Dated: February 17, 2023

Respectfully submitted,

/s/ Patrick J. Vallely

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CERTIFICATE OF SERVICE

The undersigned attorney of record hereby certifies that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants.

Dated: February 17, 2023

/s/ Patrick J. Vallely
Patrick J. Vallely